



UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re)

JOEL ESTRELLA)

Debtor.)

Case No. 14-27926-C-7

Docket Control No. CRG-4

AMENDED FINDINGS

The court makes these amended findings pursuant to Federal Rule of Civil Procedure 52 as incorporated by Federal Rule of Bankruptcy Procedure 7052 and made applicable to contested matters by Federal Rule of Bankruptcy Procedure 9014.

In making oral findings on the record, the court misstated its finding as to the value of the property, located at 4718-4760 International Blvd., Oakland, California, as of August 1, 2014, as \$1,150,000.00 when it should be, and the court hereby finds it be, \$1,250,000.00.

Based on the fact that the debtor owns a one third (1/3) interest in the property, the correct calculation is as follows: the court finds that with a value of \$1,250,000.00 and consensual liens that total \$925,032.80, the equity in the property is \$324,967.20. The debtor's one third interest in that equity is found to be \$108,322.40.

The debtor filed an amended Schedule C that purported to exempt \$23,387.00 on the property pursuant to California Code of

1 Civil Procedure § 703.140(b)(5). At trial, the debtor conceded
2 on the record that because the debtor had used part of the
3 C.C.P. §§ 703.140(b)(1) and 703.140(b)(5) exemptions to exempt
4 other property, the debtor only had \$21,802.82 available to
5 exempt the property. Therefore, the debtor's available equity
6 in the property, \$108,322.40, minus his allowable exemption,
7 \$21,802.82, is found to be \$86,519.58.

8 Accordingly, the judgment lien of Suprema Meat Company,
9 recorded with the County of San Joaquin on February 7, 2014 in
10 the amount of \$94,720.89, in so far as it applies to the
11 interest of the debtor, Joel Estrella, is avoided to the extent
12 it exceeds \$86,519.58.

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14 DATE: March 22, 2017

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20 UNITED STATES BANKRUPTCY JUDGE
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**INSTRUCTIONS TO CLERK OF COURT
SERVICE LIST**

The Clerk of Court is instructed to send the
attached document, via the BNC, to the following parties:

Office of the U.S. Trustee
Robert T Matsui United States Courthouse
501 I Street, Room 7-500
Sacramento, CA 95814

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